

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

Richard Miller

Plaintiff/Petitioner(s),

-vs-

St. Clair County Jail

Defendant/Respondent(s).

Docket No.

(To be supplied by the Clerk)

☐ CIVIL RIGHTS COMPLAINT  
pursuant to 42 U.S.C. §1983  
(State Prisoner)

☐ CIVIL RIGHTS COMPLAINT  
pursuant to 28 U.S.C. §1331  
(Federal Prisoner)

☒ CIVIL COMPLAINT  
pursuant to the Federal Tort Claims  
Act, 28 U.S.C. §1346, 2671-2680

SCANNED AT MENARD and E-mailed  
05/23/2012 by KSL 78 pages  
date Initials No.

I. JURISDICTION

- A. Plaintiff's mailing address and/or register number and present place of confinement.

P.O. Box 1000 MENARD IL 62259  
B81078 MENARD

- B. Defendant MERAL Justice is employed as  
(Name of First Defendant)

(Position/Title)

with St. CLAIR COUNTY Jail  
(Employer's Name and Address)

At the time the claim(s) alleged in this complaint arose, was the defendant employed by the state, local or federal government?

Yes (X)

No ( )

If your answer is "yes", briefly explain:

He is a Sheriff for the St. CLAIR County

C. Defendant THE IARN is employed as  
(Name of Second Defendant)  
Mayor  
(Position/Title)  
with St. CLAIR COUNTY Jail  
(Employer's Name and Address)

At the time the claim(s) alleged in this complaint arose, was the defendant employed by the state, local or federal government?

Yes ☒ No ( )

If your answer is "yes", briefly explain:

He is the Mayor At St. CLAIR COUNTY Jail

D. Using the outline of the form provided, include the above information for any additional defendant(s).

OFFICERS McPHER, COLLINGS, HARRIS, COOK, ZACK  
CLAYTON, DINGUS, McCALL, PRICE, TAMMY  
CAPT. SCOTT  
THEY ARE OFFICERS AT St. CLAIR COUNTY Jail

## II. PREVIOUS LAWSUITS

A. Have you begun any other lawsuits in state or federal court relating to your imprisonment?

Yes ( ) No ☒

B. If your answer to "A" is "yes", describe the lawsuit(s) in the space below. (If there is more than one (1) lawsuit, you must describe the additional lawsuits on another sheet of paper, using the same outline.) Failure to comply with this provision may result in summary denial of your complaint.

1. Parties to previous lawsuits:  
Plaintiff(s) \_\_\_\_\_  
\_\_\_\_\_  
Defendant(s) \_\_\_\_\_  
\_\_\_\_\_
2. Court (if Federal Court, name the District; if State Court, name the County) \_\_\_\_\_
3. Docket number \_\_\_\_\_
4. Name of Judge to whom case was assigned \_\_\_\_\_
5. Type of case (for example Was it a Habeas Corpus or Civil Rights action?) \_\_\_\_\_
6. Disposition of case (for example: Was the case dismissed? Was it appealed? Is it still pending?) \_\_\_\_\_
7. Approximate date of filing lawsuit \_\_\_\_\_
8. Approximate date of disposition \_\_\_\_\_

### III. GRIEVANCE PROCEDURE

- A. Is there a prisoner grievance procedure in the institution? ~~YES~~ YES
- B. Did you present the facts relating to your complaint in the prisoner grievance procedure?  
Yes (X) No ( )
- C. If your answer is "yes",
  1. What steps did you take? I filled out a Captains Request form And turned it in
  2. What was the result? I didn't hear Nothing back from it, so I put in another call And I talked to the Major Mc LAREN
- D. If your answer is "no", explain why not. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E. If there is no prisoner grievance procedure in the institution, did you complaint to prison authorities? Yes (X) No ( )

F. If your answer is "yes",

1. What steps did you take? I talked to MAJOR Mc' LARN  
And SERGEANT TRICE About what happen to me

2. What was the result? They both told me I got  
what I deserve, And my request was thrown  
AWAY

G. If your answer is "no", explain why not.

H. Attach copies of your request for an administrative remedy and the response(s) you received. If you cannot do so, explain why not:

My grievance was thrown away by the MAJOR

#### IV. STATEMENT OF CLAIM

State here, as briefly as possible, the FACTS of your case. State who, what, when, where and how you feel your constitutional rights were violated. Do not cite cases or statutes. If you choose to submit legal arguments or citations, you must do so in a separate memorandum of law. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. If your claims relate to prison disciplinary proceedings, attach copies of the disciplinary charges and any disciplinary hearing summary as exhibits.

Only two (2) extra pages (8 1/2 x 11") are permitted, if necessary, to complete your statement of claim. Additionally, attach any relevant, supporting documentation.

ON 12-21-11 12-16-11 ME AND A COUPLE INMATES GOT INTO  
A fight with the OFFICERS At the St. CLAIR County jail. WE WAS PUT ON  
lock down BECAUSE OF THE fight. ON DEC 21 2011 WHEN CAME FROM COURT  
I WAS PUT IN MY CELL FOR ABOUT 30 min. At this time (5) FIVE OFFICERS  
CAME TO MY CELL AND PUT ME IN HANDCUFFS AND told me to come with  
them. When I got in the hallway the MAJOR Mc' LARN And other OFFICERS  
was out there. I WAS told to step into the Quiet Room, that was  
when the rest of the OFFICERS came in. I WAS told to take off my  
clothes. As I WAS pulling my shirt over my head I WAS PUNCHED  
IN THE FACE AND SLAMMED ON THE GROUND. While I WAS ON THE GROUND  
I WAS PUNCHED KICKED AND TASED. OFFICER Mc' PEA kept telling  
OFFICERS HARRIS to hit me in the face. OFFICER kept saying my hand  
WERE COVERING MY FACE. SOME ONE told OFFICER ZACK to use the

TASER ON ME EVERY TIME HE TASED ME I MOVED MY HANDS FROM MY FACE. EVERY TIME I MOVED MY HANDS FROM MY FACE OFFICER HARRIS PUNCHED ME IN THE FACE. WHEN SERGEANT COOK SEEN ALL THE BLOOD ON FLOOR HE TOLD THEM I HAD ENOUGH AND TO BRING A NURSE IN THERE TO CHECK ME OUT. THE NURSE DEBRAA CAME AND TRIED TO STOP MY NOSE AND MOUTH FROM BLEEDING. AFTER THAT I WAS LEFT IN THE QUIET ROOM FOR A HOUR THE OFFICERS CAME BACK TO GET ME, THEY TOOK ME BACK IN THE HALLWAY TO TALK TO MAJOR McLEARN I ASK HIM WHY WAS I JUMPED ON. HE TOLD ME THAT WAS TO TEACH THE OTHER INMATES A LESSON. I WAS PUT IN MAX FOR A WEEK WITH NOTHING BUT A JUMPSUIT MATTRESS AND BLANKET. I WAS DENIED MY LEGAL WORK MAIL AND ALL MY HIGIENE PRODUCTS. I ASKED EVERY GUARD THAT CAME THROUGH ABOUT MY THINGS. I WAS TOLD THAT MAJOR McLEARN SAID I DON'T NEED THEM AND I DON'T HAVE ANY RIGHTS ANY MORE. THERE ARE CAMERAS IN THE HALLWAY, IN THE CELL BLOCK I WAS IN ~~APB~~ APB AND IN MAX. THE CAMERAS WILL SHOW THEM COMING TO GET ME FOR COURT, AND BRINGING ME BACK. WHEN THEY TOOK ME TO THE QUIET ROOM. THERE ARE NO CAMERAS IN THE QUIET ROOM THEY ARE SUPPOSE TO HAVE A HAND HELD CAMERA WHEN THEY ARE MAKING A QUIET ROOM MOVE. THE CAMERAS WILL SHOW ME STOP. EVERY OTHER OFFICER THAT CAME BY MY CELL TO ASKED THEM ABOUT MY LEGAL WORK. ON 12-29-11 I ASKED FOR MY LEGAL WORK AGAIN BECAUSE I WAS ON MY WAY TO McLEARN I WAS TOLD THAT I DON'T NEED IT BUT OFFICER TAMMY BECAUSE I WAS GOING TO McLEARN. WHEN I SENT MY FAMILY TO GET IT THEY WAS TOLD THAT IT WAS THROWN AWAY BECAUSE THEY DIDN'T COME PICK IT UP IN TIME. THEY TRIED TO PICK IT UP 21 TWO WEEKS AFTER I LEFT THE COUNTY. I HAD 30 DAYS TO HAVE SOME ONE TO PICK IT UP

V. REQUEST FOR RELIEF

State exactly what you want the Court to do for you. If you are a state or federal prisoner, and seek relief which affects the fact or duration of your imprisonment (for example: illegal detention, restoration of good time, expungement of records or parole release), you must file your claim on a Habeas Corpus form, pursuant to 28 U.S.C. §2254, 28 U.S.C. §2255, or 28 U.S.C. §2241.

MONETARY/FINANCIAL COMPENSATION, AND I WOULD LIKE TO  
PRESS CHARGES

VI. JURY DEMAND (check one box below)

The plaintiff does ☒ does not ☐ request a trial by jury. (See Fed.R.Civ.P. 38.)

DECLARATION UNDER FEDERAL RULE OF CIVIL PROCEDURE 11

I, the undersigned, certify to the best of my knowledge, information, and belief, that this complaint is in full compliance with Rule 11(a) and 11(b) of the Federal Rules of Civil Procedure. The undersigned also recognizes that failure to comply with Rule 11(a) and (b) may result in sanctions, monetary or non-monetary, pursuant to Federal Rule of Civil Procedure 11(c).

The plaintiff hereby requests the Court issue all appropriate service and/or notices to the defendant(s).

Signed this 23 day of April, 2012.

Richard Miller  
Signature of Plaintiff

\_\_\_\_\_  
Signature of attorney, if any

Richard Miller Jr B81078  
P.O. Box 1880  
McNARD IL  
62259

ALL DOCUMENTS MUST BE SENT TO LAW LIBRARY  
ELECTRONICALLY TRANSMITTED TO  
THE COURT THROUGH THE COURT S.F. FILING  
PROGRAM WITH MCNARD CORRECTIONAL CENTER  
Contact the Law Library or DOC Legal  
Services with any questions about e-filing.

Clerk of Court  
United States District Court  
Southern District of Illinois  
P.O. Box 249  
East. St. Louis, IL  
62201

